

Message Text

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ACTION SCI-06

INFO OCT-01 EUR-25 IO-14 ISO-00 ACDA-19 CIAE-00 INR-10

L-03 NSAE-00 NSC-07 RSC-01 FEA-02 DRC-01 /089 W

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P R 071607Z MAY 74

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC PRIORITY 4319

INFO AEC GERMANTOWN PRIORITY

AMEMBASSY BELGRADE

AMCONSUL ZAGREB

UNCLAS IAEA VIENNA 4060

E.O. 11652: N/A

TAGS: IAEA ENRG TECH YO

SUBJECT: KTSKO NUCLEAR POWER PROJECT -- DRAFT SUPPLY
AGREEMENT

REF: A) STATE 92877 B) IAEA VIENNA 3763

1. MISSION HAS DISCUSSED COMMENTS PROVIDED REF A WITH
AGENCY WITH FOLLOWING RESULTS:

A. AGENCY APPRECIATES POINT MADE PARA 1.A REF A AND
SUGGESTS REPLACING "FOR YUGOSLAVIA" BY "THROUGH THE AGENCY
AND YUGOSLAVIA" AT END OF ARTICLE II. (COMMENT: MISSION
BELIEVES THIS MORE ACCURATELY REFLECTS SITUATION AND
SHOULD BE ACCEPTABLE.)

B. SUGGESTED DELETION PARA 1.B REF A CREATES PROBLEM
FOR AGENCY, SINCE AGENCY UNABLE PASS TITLE DIRECTLY TO
UTILITY GROUP. AGENCY SUGGESTS CHANGING LAST FEW WORKDS
OF ARTICLE III.1 TO READ AS FOLLOWS: "...INSTANTANEOUSLY
PASS BACK THROUGH YUGOSLAVIA TO THE UTILITY GROUP."
(COMMENT: MISSION BELIEVES THIS IS IMPROVEMENT.)

C. RE SUGGESTION PARA 1.C REF A, AGENCY POINTS OUT
THAT PHRASE "...SHALL ON THE REQUEST OF ANY PARTY TO THIS
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AGREEMENT..." ADEQUATELY MEETS U.S. POINT, SINCE NEITHER

AGENCY NOR YUGOSLAVIA WILL BE PARTIES TO LONG-TERM CONTRACT. ACCORDINGLY, ONLY MANNER IN WHICH DOUBLE ARBITRATION COULD ARISE WOULD BE IF USAEC, WHICH WILL BE PARTY TO BOTH SUPPLY AGREEMENT AND LONG - TERM CONTRACT, WERE TO INVOKE DISPUTES PROVISIONS OF BOTH INSTRUMENTS. (COMMENT: MISSION SEES NO RPT NO HARM IN ADDING LANGUAGE SUGGESTED PARA 1.C REF A, BUT BELIEVE AGENCY POINT WELL TAKEN. IN INTEREST OF CONCLUDING NEGOTIATIONS ON THIS AGREEMENT PROMPLY, MISSION BELIEVES WE CAN LIVE WITH PRESENT LANGUAGE OF ARTICLE VI.)

2. MISSION WOULD APPRECIATE RESPONSE SOONEST. LABOWITZ

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Message Attributes

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